



# Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

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## RESULTS OF MERRIMACK PLANNING BOARD

TUESDAY, OCTOBER 6, 2020

**Planning Board members present:** Robert Best, Alastair Millns, Neil Anketell, Paul McLaughlin, Bill Boyd (Town Council Ex-Officio) (arrived at 7:04 P.M.) and Alternate Nelson Disco.

**Planning Board members absent:** Lynn Christensen

**Staff present:** Robert Price, Planning & Zoning Administrator

### 1. Call to Order

*Robert Best called the virtual meeting to order at 7:00 p.m. and read the procedures & processes for the virtual meeting. He appointed Nelson Disco to vote for Lynn Christensen.*

### 2. Planning & Zoning Administrator's Report

*The Board voted 6-0-0 by roll call vote to determine that the Labrie Waiver of Full Site Plan Review and Downie Conditional Use Permit are not of regional impact, on a motion made by Nelson Disco and seconded by Bill Boyd.*

- 3. John Flatley Company (applicant/owner)** - Continued review for acceptance and consideration of a Site Plan to construct 100,000 square feet of research & development/warehouse in 3 proposed buildings and associated site improvements, per the requirements of the Flatley Mixed Use Conditional Use Permit. The parcel is located at 685 Daniel Webster Highway in the I-1 (Industrial) and Wellhead Protection Area. Tax Map 6E, Map 003-04. Case #PB2020-19. **This item is continued from the September 1, 2020 Planning Board meeting.**

*Robert Best recused himself from voting on this item.*

*At the applicant's request, the Board voted 5-0-0 by roll call vote to continue both the application's acceptance and public hearing to October 20, 2020, on a motion made by Alastair Millns and seconded by Neil Anketell.*

- 4. Synergy Storage Structures, LLC (petitioner/owner)** - Continued review for consideration of an amendment to a previous conditionally approved Site Plan regarding access and parking. The parcel is located at 403 Daniel Webster Highway in the I-1 (Industrial), Aquifer Conservation and Elderly Housing Overlay Districts. A portion of the parcel is subject to the Flood Hazard Conservation District. Tax Map 4D-3, Lot 84-01. **This item is continued from the July 21, August 18, and September 1, 2020 Planning Board meetings.**

*Applicant was represented by: Chris Ross and Joel Sikkila, Synergy Self Storage.*

***A motion made by Bill Boyd and seconded by Robert Best to grant a waiver from Section 7.05.D.20.c of the former Site Plan Regulations failed on a 3-3-0 roll call vote. Nelson Disco, Alastair Millns and Paul McLaughlin voted in opposition.***

***The Board voted 6-0-0 by roll call vote to grant a modified waiver to Section 7.05.D.20.c that requires the applicant to install curbing, but permits it to terminate 5 feet back from the edge of pavement as agreed to by the Town Engineer, on a motion made by Paul McLaughlin and seconded by Neil Anketell.***

*There was no public comment.*

***The Board voted 5-1-0 by roll call vote to amend the conditions of approval by eliminating condition #13(d) which required the installation of an oil/water separator in the proposed wet pond, on a motion made by Bill Boyd and seconded by Alastair Millns. Neil Anketell voted in opposition.***

***The Board voted 6-0-0 by roll call vote to amend the conditions of approval by eliminating condition #13(c) which required the installation of cape cod berm along the westerly side of the vehicular storage area adjacent to the wetland on map 4D-3, Lot 091, on a motion made by Alastair Millns and seconded by Bill Boyd.***

- 5. Christopher Ross, LLC (applicant/owner)** - Continued review for acceptance and consideration of a Waiver of Full Site Plan Review for the conversion of current retail space into 12 multi-family residential units including building additions totaling approximately 848 square feet. The parcel is located at 401 Daniel Webster Highway in the C-1 (Limited Commercial) Aquifer Conservation and Elderly Housing Overlay Districts. Tax Map 4D-3, Lot 083. Case # PB2020-14. **This item is continued from the July 21, August 18, and September 1, 2020 Planning Board meetings.**

*Applicant was represented by: Chris Ross and Joel Sikkila, Synergy Self Storage.*

***The Board voted 5-1-0 by roll call vote to accept the application for review, on a motion made by Alastair Millns and seconded by Bill Boyd. Nelson Disco voted in opposition.***

***The Board voted 6-0-0 by roll call vote to grant a waiver from Section 3.07 – Storm Drain System of the Site Plan Regulations on a motion made by Neil Anketell and seconded by Bill Boyd.***

***The Board voted 6-0-0 by roll call vote to grant a waiver from Section 3.10 – Soil & Wetland Identification of the Site Plan Regulations on a motion made by Alastair Millns and seconded by Bill Boyd.***

***The Board voted 4-2-0 by roll call vote to grant partial waivers from Section 3.11 – Parking Standards and Section 4.14.e – Landscape Plan, of the Site Plan Regulations on a motion made by Bill Boyd and seconded by Neil Anketell. Paul McLaughlin and Nelson Disco voted in opposition.***

***The Board voted 6-0-0 by roll call vote to grant waivers from Sections 3.13 – Outdoor Lighting Design and 4.16 – Illumination Plan of the Site Plan Regulations on a motion made by Bill Boyd and seconded by Paul McLaughlin.***

***The Board voted 6-0-0 by roll call vote to grant a waiver from Section 4.14.a – Grading and Drainage of the Site Plan Regulations on a motion made by Alastair Millns and seconded by Bill Boyd.***

***The Board voted 5-0-1 by roll call vote to grant a waiver from Section 4.14.c – Construction Detail Drawings of the Site Plan Regulations on a motion made by Alastair Millns and seconded by Bill Boyd. Nelson Disco abstained.***

*The applicant verbally withdrew waiver requests from Sections 3.14 and 4.17 – Traffic Impact Analysis, Section 4.14 – Improvements, and Section 4.14.b – Utilities.*

*There was no public comment.*

***The Board voted 4-2-0 by roll call vote to grant conditional final approval, on a motion made by Alastair Millns and seconded by Neil Anketell. Nelson Disco and Paul McLaughlin voted in opposition.***

- 6. Brian Labrie (applicant) and BHL Real Estate Holdings, LLC (owner)** - Review for acceptance and consideration of a Waiver of Full Site Plan Review for the construction of a detached garage. The parcel is located at 660 Daniel Webster Highway in the C-2 (General Commercial), Aquifer Conservation, and Wellhead Protection Districts. Tax Map 6E-2, Lot 014. Case # PB2020-20

*Applicant was represented by: Bradley Casperson, Meridian land Services, Inc.*

***The Board voted 6-0-0 by roll call vote to accept the application for review, on a motion made by Alastair Millns and seconded by Nelson Disco.***

***The Board voted 6-0-0 by roll call vote to grant a Waiver of Full Site Plan Review on a motion made by Nelson Disco and seconded by Neil Anketell.***

*There was no public comment.*

***The Board voted 6-0-0 by roll call vote to grant conditional final approval, on a motion made by Nelson Disco and seconded by Bill Boyd.***

- 7. John Downie (applicant/owner)** - Review for consideration of a Conditional Use Permit to construct a detached Accessory Dwelling Unit (ADU) above an existing detached garage. The parcel is located at 2 Landau Way in the R-2 (Residential) District. Tax Map 3A, Lot 089. Case # PB2020-22

*Applicant was represented by: John Downie*

*There was no public comment.*

***The Board voted 6-0-0 by roll call vote to grant the Conditional Use Permit, with conditions, on a motion made by Alastair Millns and seconded by Bill Boyd.***

**8. Discussion/possible action regarding other items of concern**

***The Board voted 6-0-0 by roll call vote to first establish a performance bond for the Oak Ridge subdivision, Whitetail Ridge, in the amount of \$957,317.45, and to subsequently reduce the performance bond to the amount of \$168,653.36, on a motion made by Bill Boyd and seconded by Nelson Disco.***

***The Board voted 6-0-0 by roll call vote to reduce the performance bond for the Greenfield Farms subdivision, Cider Court, to the amount of \$71,897.45, and to reduce the performance bond for the Greenfield Farms Subdivision, Crab Tree Court, to the amount of \$68,779.95, on a motion made by Bill Boyd and seconded by Paul McLaughlin.***

**9. Approval of Minutes — September 15, 2020**

***The Board voted 6-0-0 by roll call vote to approve the minutes of September 15, 2020, as drafted, on a motion made by Bill Boyd and seconded by Neil Anketell.***

**10. Adjourn**

***The Board voted 6-0-0 by roll call vote to adjourn at 9:50 p.m., on a motion made by Bill Boyd and seconded by Paul McLaughlin.***